



UPDATE: Plant Health Programs, Permits, PCIT & Q-37 Revision

Michael J. Firko, Director
Permits, Registrations & Imports (PRI)
(Biological and Technical Services)

Southern Plant Board Meeting
St. Augustine, FL
11 April 2005

APHIS Plant Health Programs - Revised Headquarters Organizational Structure March 2005

PHP Management Team

Exec. Director, Plant Health Programs
Associate Exec. Director – Permanent
Associate Exec. Director – IS Rotational
Director, QPAS
Director, PIM
Director, PRI
Director, TPC
Director, RC
Director, VRS

APHIS Plant Health Programs Office of the Executive Director (301) 734-8261

Alan Green, Executive Director
Jane Levy, Associate Executive Director
Mark Knez, IS Rotational Position

Policy, Planning, & Critical Issues

Eric Rudyj, Team Leader
(301) 734-7601
Strategic and Program Planning
Program Policy and Analysis

Program Data Management & Analysis

Alison Young, Program Data Manager
(301) 734-3821
Program Data Management
IT Applications and Customer Support

Quarantine Policy, Analysis, & Support

Bill Thomas, Director
(301) 734-8295
Cargo/Pax/Borders
Preclearance / Predeparture
SITC, Trade Compliance,
Surveillance Officers
Virtual Incident Command
System
AQIM
Quality Assurance
Data Management and
Analysis (DMA)
Database Management
ITDS, ATS
280/WADS QC
National Targeting Center
(N.T.C.)
Canine Policy
CBP Liaison

Phytosanitary Issues Management

Cathy Enright, Director
(301) 734-8262
Trade Directors
Assistant Trade
Directors
Commodity Specialists
Export Certification and
Accreditation
International Standards

Permits, Registrations & Imports

Mike Firko, Director
(301) 734-8758
Permit Services
Plants and Plant Products,
Pests, Soil Permits
Select Agent
Registrations
Pest Permit Evaluations
Microorganisms
Invertebrates
Select Agent
Registrations
Commodity Import
Analysis & Operations
Imports
Q-37
Risk Management

Taxonomy & Plant Clearance

Vacant, Director
(301) 734-5312
National Identification
Services
Coordination and Policy
National Identifiers
Pest Interception
Database Management
Plant Inspection Station
Policy and Support
CITES Policy & Support
Beltsville Inspection
Station Operations
Post Entry Quarantine
Plant Germplasm
Screening

Regulatory Coordination

Mike Lidsky, Director
(301) 734-8790
(Supervisor or Team Leader)
Development and Maintenance
of regulations
APHIS Library
Manuals Unit
Environmental Compliance
Coordination

Veterinary Regulatory Support

Maureen Bell, Director
(301) 734-7633
Animal Products and By-
Products
Foreign Garbage

PPQ Permit Bulletin

Contains:

- Reminders
- Updates
- Permit revocations
- Contact information
- Alerts
- etc.

PPQ Permit Bulletin

Volume 1 Issue 1

October 2004

HOT TOPICS

Drosophila Permits: Written permits are now required for the importation of *Drosophila* fruit flies into the United States. A condition of the permit requires that shipment contents be inspected and verified as *Drosophila* by PPQ before being released. Headquarters is actively working with inspectors at various locations including the Fed-ex hub in Memphis, TN to coordinate this new policy. More information is available on our website at <http://www.aphis.usda.gov/ppq/permits/>

Ash Wood from Canada: Written permits are now required for the importation of Ash wood, including: logs, lumber, wood chips, and bark chips from Canada. The new requirement addresses the risks of importing Emerald Ash Borer from Canada.

Soil Importations: The importation of soil with the intent of isolating or culturing of organisms requires a PPQ Form 526 rather than a soil permit. This change was due to the plant pest risk associated with the isolation of organisms from untreated foreign soil. The importation of soil for chemical analysis or with required treatment still requires a soil permit.

Transit Permits: On July 19, 2004 APHIS began issuing permits for the transit of agricultural commodities. A permit is required in advance for the unloading, landing or other movement of plants and plant products in cargo and baggage through the United States. A stakeholder announcement about this topic is available on our website at <http://www.aphis.usda.gov/ppq/permits/transit/>.

for the importation of frozen fruits and vegetables. The following commodities have additional requirements as described by Table 5-68 in the Misc. and Processed Products Manual: Avocado, Citrus, Mango, Palm Heart, Potato, and Water Bamboo. Refer to the manual when regulating these frozen commodities. For a commodity to be considered frozen it must be 20F or below at the time of arrival (i.e. inspection).

Soybeans: Shipments of soybeans for propagation do not require a written permit but are subject to inspection at the first port of entry and must be reported (for grain and seeds) to PPQ_SBIG@aphis.usda.gov

Manufactured Wood Products: Manufactured wood products (including veneer, plywood, moldings, flooring, etc.) do not require a written permit for importation, but subject to inspect and release.

!!ALERTS!!

As of August 2, 2004 permits 37-77468 and GP-1631 issued to James Michael Kovach of Southwind Orchids were **revoked** due to criminal violations of The Endangered Species Act of 1973. No shipments shall be allowed entry into the United States under either permit.

As of August 2, 2004 permits 37-80391 and GP-2295 issued to George W. Norris of Spring Orchid Specialties were **revoked** due to criminal violations of The Endangered Species Act of 1973. No shipments shall be allowed entry into the United States under either permit.

REMINDERS:

Importation of Frozen Fruits and Vegetables: A written permit is required

CONTACT

If you have any questions about permits please contact the permit unit at (301) 734-8758 -or- Permits@aphis.usda.gov.



Significant Change in Honey Bee Regulations (7 CFR Part 322)

- Risk assessments indicated no differences from U.S. diseases, parasites and undesirable strains
- Commercial imports from Australia and New Zealand now allowed (Canada only since 1940's)
- We're working now with State apiary inspectors to resolve Federal/State inspection issues
- APHIS-VS working on **export** certification for U.S. bees



PPQ Permit User Fees

- Working on draft regulations for Proposed Rule
- APHIS plans to publish Proposed Rule in 2005
- Includes all PPQ permit types



PPQ Permit User Fees

- Fees... ~\$100 - \$1,000
 - Fees based on “Activity Based Costing”
- Different fees for different types of permits, based on regulatory effort:
 - \$ - Plant & Plant Product
 - \$\$ - Timber & Timber Product
 - \$\$\$ - Departmental (Research) & Soil
 - \$\$\$\$ - Plant Pest & Noxious Weed

Welcome to ePermits, your one stop Source for Agricultural Permitting

Username:

< PIS User >>

Password:

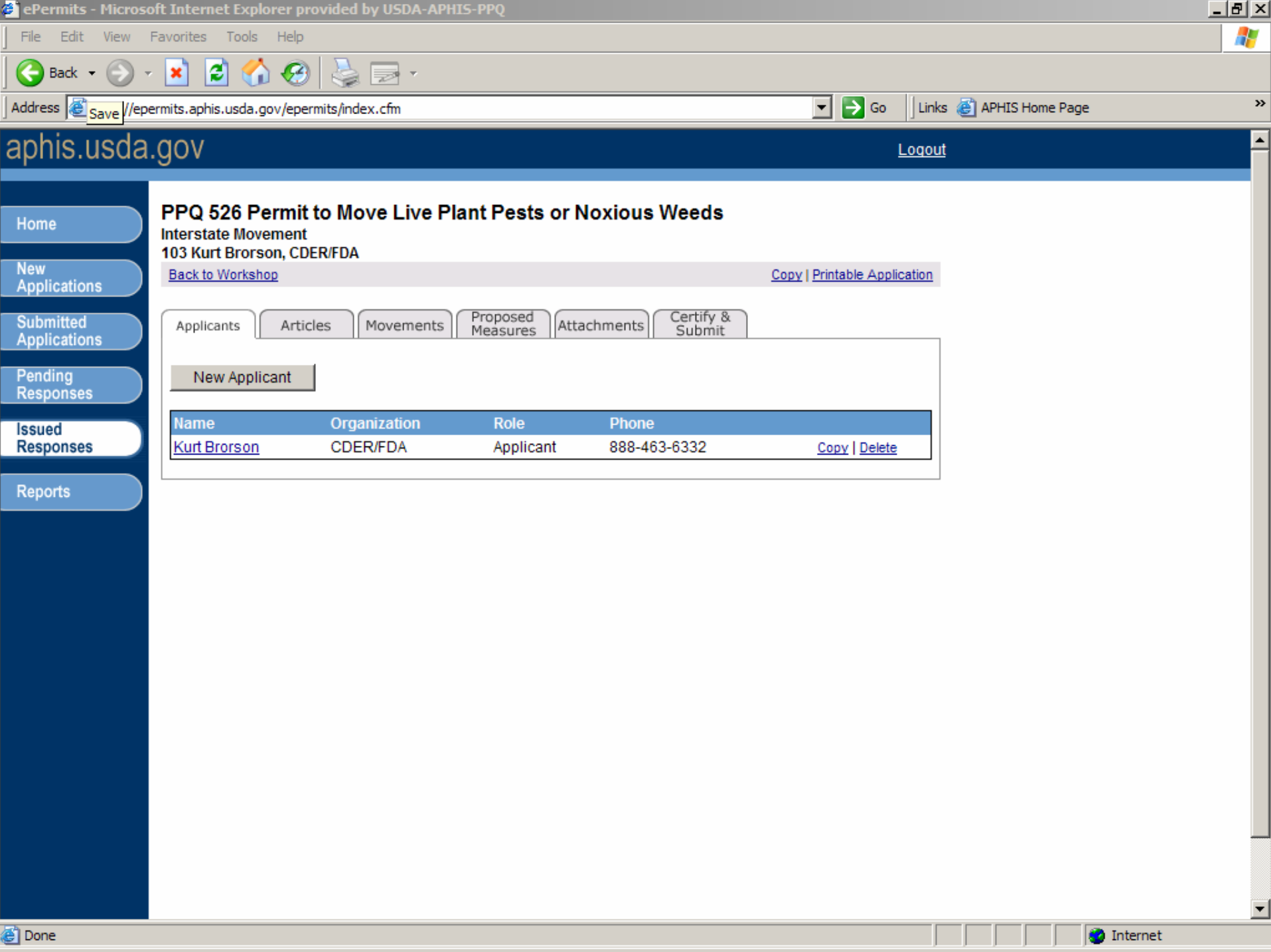
.....

Log In

New User? [Click here](#)

Log-in to start a fully enabled session.

You may explore portions of the site without log-in to determine if you are required to apply for a permit. Throughout ePermits, use the left side bar to navigate through functionalities. At any time, click on Home to return to this page.



- Home
- New Applications
- Submitted Applications
- Pending Responses
- Issued Responses
- Reports

PPQ 526 Permit to Move Live Plant Pests or Noxious Weeds

Interstate Movement

103 Kurt Brorson, CDER/FDA

[Back to Workshop](#) [Copy](#) | [Printable Application](#)

Applicants

Articles

Movements

Proposed Measures

Attachments

Certify & Submit

New Applicant

Name	Organization	Role	Phone	
Kurt Brorson	CDER/FDA	Applicant	888-463-6332	Copy Delete



ePermits user workshop

- To get input from a diverse set of users
- One-day session, March 10, 2005
 - one SPRO rep attended this first session
- Demo of ePermits
- BRS has had two, VS to follow
- PPQ will hold another session aimed at SPRO's and SPHD's



Plant Pest Permits - To Improve Efficiency and Response Time:

Permits for Widely Prevalent Pathogens (WPP)

- Agreements with APS (American Phytopathological Society) for construction of State-by-State lists of widely prevalent pathogens: fungi, viruses, bacteria and mycoplasmas)
- Creation of New Permitting Process for WPP
 - State pre-approval
 - only for interstate movement of domestic isolates
 - NOT for field study permits



Status of WPP Initiative

WPP lists have been sent to 19 States for review:

Accepted Lists of WPP	Alabama Delaware	Arkansas Georgia	Connecticut	
Accepted most on lists	Colorado Maryland	Florida Oregon	Minnesota North Carolina	Idaho
Rejected entire lists	Hawaii			
No response yet	Alaska Illinois	Arizona Washington	California	Iowa

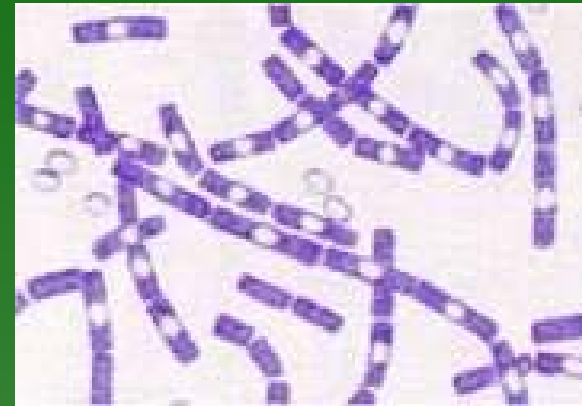
Virus and Bacteria lists going to additional 29 States this week



Steps We're Taking to Improve Efficiency and Response Time

PROPOSAL: State Pre-Approval (*a la* Widely Prevalent Pathogens) for:

- Snails and slugs, educational use, according to Mollusk Matrix
- Butterflies for release, according to Butterfly matrix



Public Health Security and Bioterrorism Preparedness & Response Act of 2002

Title II, Subtitle B cited as...

Agricultural Bioterrorism Protection Act of 2002



Laws & Regulations: Possession and Transfer of Plant Pathogens

Law/Statute	Regulation
Written by U.S. Congress	Written by USDA - as directed by Congress
Plant Protection Act of 2000	7 CFR 330 Plant Pest Permitting
Agricultural Bioterrorism Protection Act of 2002	7 CFR 331 “Select Agent” Program

List of PPQ Select Agents

- *Ralstonia solanacearum*, race 3, biovar 2
- *Candidatus Liberobacter africanus*
- *Candidatus Liberobacter asiaticus*
- *Xanthomonas oryzae* pv. *oryzicola*
- *Xylella fastidiosa* (citrus variegated chlorosis strain)
- *Peronosclerospora philippinensis*
- *Sclerophthora rayssiae* var. *zeae*
- *Synchytrium endobioticum*



Permits/SAP Regulatory Requirements

Activity	Permit under PPA/330 ?	Register ABPA/331 ?
Collect samples potentially infected with a Select Agent, send for diagnosis within state	No	No
Collect samples potentially infected with a Select Agent, send interstate for diagnosis	Yes, receiver No, sender	No
Diagnostic lab maintains non-viable spores or extracted genetic material of a Select Agent to use as a positive control	Yes, interstate No, intrastate	No
Diagnostic lab maintains viable Select Agent spores or other material as positive control	Yes, interstate No, intrastate	Yes
Diagnostic lab saves (for whatever purpose) part of a sample later determined to be a Select Agent	Yes, interstate No, intrastate	Yes
Conduct research on a Select Agent (other than pure diagnostics)	Yes, interstate No, intrastate	Yes
Lab (Diagnostic or otherwise) receives <u>known</u> , viable Select Agent from other, permitted lab	Yes, interstate Yes, intrastate	Yes



Plants for Planting: “Revision of Q-37”

- 7 CFR Part 319.37 (Q-37)
 - Principal regulation governing the import of plants for planting
- Other related regs also covered in the revision (all 7 CFR)
 - 319.15 Sugarcane
 - 319.19 Citrus & related genera
 - 319.24 & .41 Corn & related genera
 - 319.55 Rice
 - 319.59 Wheat
 - 319.8 Cotton



Why Does Importation of Plants for Planting Present Significant Risks

- Difficult to determine origin
- Difficult to inspect at ports of entry
- Many pests borne internally (e.g., diseases, small invertebrates)
- Introduced pests relatively likely to become established
- Production facilities moving off shore to remain competitive
 - examples: geranium, tropical foliage, poinsettia
- Inadequate information on pests that may have quarantine significance



Pests That Have Entered, or May Have Entered With Plants for Planting

- Plum pox potyvirus
- Sudden oak death
- Longhorn beetles, cedar, citrus, Asian
- Emerald ash borer
- Red gum lerp psyllid
- Eucalyptus pitch canker
- Hemlock wooly adelgid
- Pink hibiscus mealybug
- *Ralstonia solanacearum* race 3, biovar 2
- Corn cyst nematode
- Karnal bunt
- Dogwood anthracnose
- Day lily rust
- Citrus Canker
- Devil's tearthumb
- Japanese knotweed
- Tropical Soda apple



Basic Premise of Current Q-37

- Majority of plant taxa are enterable with only a port of entry inspection
- Some plants for planting are further restricted by additional requirements
- Pest risk analysis required only for certain types of importations



Comparison of Import Requirements Q-56 (consumption items) & Q-37

	Q-56	Q-37
Enterability	Only specific taxa/country combinations, published	All taxa except specifically prohibited
Risk assessment & mitigation	Required before each new importation	Only for Plants In Growing Media (PIGM)
Pre-export mitigations	Systems approaches, fumigations	Only for PIGM and fruit trees from 5 countries
Monitoring and audit of pre-export mitigations	Usual	Seldom
Port of Entry Inspection	CBP	PPQ



Comparison of Import Requirements Q-56 (consumption items) & Q-37

	Q-56	Q-37
Genera imported	@200	Several thousand
Origin of import	Part of PRA and Regulated	Difficult to determine source, lineage
How long does risk last ?	Days to weeks	Months to years
Risk Reduction	Risk assessment, pre-export mitigation, auditing, visual inspection	Visual inspection at port
Suitable host/environment for establishment	Less likely	More Likely



Evolution of Q-37: Original Intent vs Current Practice

	Early Years	Now
Trading Partners	Europe	Worldwide
# of Items Allowed Import	Limited (< 100 items) germplasm of clonal material only	Unlimited
Fumigation	Mandatory on all Imported Stock	Only When Quarantine Pest Found
Likely Purpose of Importation	Nursery propagation program “starter” material Slow distribution	Direct field/homeowner planting Immediate distribution

Revision of Q-37 Involves Multiple Phases / Activities / Challenges

- Operational:
 - Will affect mostly PPQ, but also DHS-CBP
- Regulatory:
 - Multiple regulatory changes will be needed
 - Goal... minimize impact on trade while maximizing reduction in pest risk
- Stakeholder:
 - Some new requirements
 - Greater protection of assets



Advance Notice of Proposed Rulemaking (ANPR)

- Published Dec 10, 2004
 - “Nursery Stock Regulations”, Docket No. 03-069-1
- Comment period open until April 11, 2005
- View ANPR at:
 - <http://www.aphis.usda.gov/ppd/rad/webrepor/ppq.html>



Revising Q-37: Highlights of the 2004 ANPR

- Programs to reduce risk of entry and establishment
- Establish a new import entry category
- Improve data collection to determine taxa imported, origin, and volume
- Reevaluate taxa currently prohibited
- Incorporate all plants for planting into one regulation



Revising Q-37: Stakeholder Meeting/Workshop

- May 25, 2005
- Federal Register Notice to appear soon
- Will register as many as 70 attendees
- Other events are being planned by stakeholder groups



“Departmental” Permits

- For prohibited articles
- Original intention... research, by USDA
- Current usage... various, insufficient oversight
- Strategy for improvement:
 - Phase 1 (now): More appropriate conditions, and more involvement of State Officials
 - Phase 2: Modify name to “Research”, expand beyond USDA
 - Proposed Rule (draft) to modify existing regulations
 - Phase 3: Create new classes of permits (intended use)
 - Example, commercial development



Time Frames

Comment Period Closes, ANPR:	April 10, 2005
Analyze ANPR Comments	Begin April, 2005
Stakeholder Meeting/Workshop	May 25, 2005
Proposed Rule, Departmental (Research) Permit	2005
Import of Christmas and Easter Cactus IGM from the Netherlands and Denmark (Proposed Rule)	2005
Proposed Rule, Standards for Including Species on "Exclude Pending PRA List"	Early 2006
Continuing work with NAPPO and globally on development of standards for clean stock programs	2005



Wood Packing Material: New Regulations

See Handout:

Article written by Alan Green



Phytosanitary Certification Program

2001 – 2004: approximately 1,200,000

Federal Phytosanitary Certificates (FPCs)
were issued by (Authorized Certification
Officials) ACOs to enable the exportation
of agricultural commodities valued at
approximately \$75 billion



PCIT = Phytosanitary Certificate Issuance and Tracking

- An electronic system
- PPQ is working with an IT contractor to develop the application and data base



PCIT Short-term Goals: On-line processes

- Submission of applications
- Scheduling inspections
- Issuance and printing paper certificates
- Electronic Fee payment
- Tracking and trace-backs



PCIT Tracking System

- ACOs can track applications from submission to issuance of FPC
- Authenticity of FPCs can easily be verified if they are in the system
- Trace-back and auditing functions will be greatly enhanced

PCIT Benefits

- Enables ACOs to issue FPCs in a more timely fashion
- Phytosanitary certificate issuance and recordkeeping processes are standardized
- Improved workload management
- Improved reporting capabilities
- Improved service to U.S. exporters
- Reduced incidence of errors and fraud
- Reduced cost for fee collections



PCIT Long-term Goals (Post 2007)

- Issuance of electronic FPCs to foreign trading partners
- PPQ participates in international standard setting UN/CEFACT working groups to ensure acceptance of electronic sharing.
- Commitment to Demonstration Project



PCIT Releases Over a Two Year period

- Release 2.0: Basic program and database (Sept 2005)
- Release 2.5: Payment engine (March 2006)
- Release 3.0: State certificate & Re-export certificates (Dec2006)
- Refinements: Batch printing, Increased data features



United States Department of Agriculture
Animal and Plant Health Inspection Service

Plant Protection and Quarantine



END